

## **BUILDING A RELATIONSHIP WITH YOUR CLIENT AND INTERVIEW ESSENTIALS**

### **OUTLINE**

#### **A.) Enter into the relationship with your client with a commitment to being a client centered lawyer.**

- a. Rather than requiring the client to conform to the lawyer's notion of how he or she should make life-impacting decisions, client-centered representation demands that the lawyer invest time and energy to understand the client and the circumstances that brought him or her into the criminal justice system, that the lawyer respects the choices the client makes about the representation, and that the lawyer advocates consistent with the client's stated desires. The client drives the representation and we must advocate for those goals set by our client unless that advocacy falls outside of the realm of ethical conduct.

#### **B.) Know your trade and educate your client:**

- a. Before you meet your client, keep in mind that what he is going through is likely foreign to him. Even people with prior records can be very ignorant as to how the criminal punishment system works. The process is likely terrifying and confusing. Showing your client that you are competent and knowledgeable you will do much to ease his mind.
  - i. It's your job to explain your role to your client:
    - 1. Tell him that you are both an advocate and an advisor and explain what those roles entail. Explain confidentiality and your ethical duty to maintain client confidences. And lastly, answer any questions your client may have about public defense and the negative connotations associated with being a public defender.
    - 2. It's your job to make sure your client knows the procedural progression of his case as well as the law governing upcoming hearings.
      - a. Explain the elements of the charged offense, the presumption of innocence, the State's burden of proof, and why the State thinks your client is guilty.

## F.) Be mindful of differences

- a. Be conscious of differences between you and your client such as race, gender, age, sexual orientation, and culture
- b. Do not assume you know how these differences will impact your client
- c. We all harbor unconscious biases and slowing down to get to know your client and vice versa can lessen the effects these biases have on the attorney client relationship

**G.) Be sensitive to potential limitations**

- a. Many of our clients have limitations that are not obvious and many times they are too embarrassed or just incapable of revealing them. For instance, some clients are illiterate or suffer from mental health problems. Other clients may be victims of abuse or intellectually disabled. Getting to know your client's history will reveal many of these otherwise hidden limitations.

**H.) Never make promises you can't keep but make some that you can**

- a. Trust is integral to any successful relationship. If you start breaking promises about when you are going to visit your client or talk with his family on the phone then he will not trust you when it comes to deciding how to confront his charge.

**I.) Keep your client updated and maintain regular contact**

**J.) Show you are a fighter**

- a. A lot of relationships get better after your client sees you stand up for them in court

**K.) Be conscious of how you relate to others around your client**

- a. Many of our clients are concerned that we are part of a system that wants to lock them up. So if they see us as just another member of the system, along with the prosecutor, the judge, the police, etc. then they will not trust us.
- b. Clients, their families, their friends, are all watching how we behave and what we say and who we say it to, so be mindful of how you are perceived by others.